

BOARD OF COUNTY COMMISSIONERS
Agenda Item Summary

Meeting Date January 19, 2005

Division County Attorney

AGENDA ITEM WORDING

Approval of an Interlocal Agreement with the City of Key West for the purpose of the County and the City using the same Special Magistrate for Code Enforcement violation hearings.

ITEM BACKGROUND

The agreement previously entered into between the County and City for a Special Magistrate has expired.

PREVIOUS RELEVANT BOCC ACTION

See above.

CONTRACT/AGREEMENT CHANGES

STAFF RECOMMENDATIONS

TOTAL COST	BUDGETED Yes No
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COST TO COUNTY	SOURCE OF FUNDS
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APPROVED BY: County Attorney ■ OMB/Purchasing ! Risk Management !

DIVISION DIRECTOR APPROVAL: John R. Collins 01/05/05
JOHN R. COLLINS

DOCUMENTATION: Included

AGENDA ITEM # R-6

INTERLOCAL AGREEMENT

City of Key West

THIS INTERLOCAL AGREEMENT is entered into by and between the Board of County Commissioners of Monroe County, Florida ("County") and the City of Key West, Florida ("City") on this _____ day of _____, 2005

WHEREAS, the parties may enter into an Interlocal Agreement pursuant to section 163.01, Florida Statutes; and

WHEREAS, the City employs a Special Magistrate pursuant to section 162.03, Florida Statutes, whom the County desires to engage for Code Enforcement hearings; and

WHEREAS, the use of the same Special Magistrate by both City and County will promote the efficiency and economy of services to both parties; and

WHEREAS, Attorney General Opinion 2000-34 authorizes an Interlocal Agreement for joint use of a Code Enforcement Special Magistrate; and

WHEREAS, the parties desire to enter into an Interlocal Agreement in order to establish the terms and conditions of the provision of services by the City to the County of the joint Special Magistrate; and

WHEREAS, the previous agreement between the City and County expired.

NOW, THEREFORE, the parties to this Interlocal Agreement agree as follows:

1. The City has engaged the services of a Special Magistrate for Code Enforcement. The City agrees to provide to the County the services of the Special Magistrate according to a schedule to be agreed upon by the City Manager and County Administrator.

2. County shall provide a suitable public place for the hearing of Code Enforcement matters by the Special Magistrate.

3. The parties agree that all fines imposed by the Special Magistrate for infractions of the Monroe County Code shall belong to the County.

4. The parties agree that the County may negotiate a fee to be paid to the Special Magistrate for County Code Enforcement hearings. The County shall enter into a fee agreement with the Special Magistrate for such services.

5. The County shall remit the Special Magistrate fee directly to the Special Magistrate as provided for in the fee agreement between the County and the Special Magistrate.

6. Either party may cancel this agreement upon thirty (30) days written notice to the other.

7. This agreement shall terminate on September 30, 2005, unless renewed by the parties.

8. This one year agreement may be renewed up to four times by signatures of the County Administrator and City Manager.

9. This Interlocal Agreement shall become effective upon its recording with the Clerk of the Circuit Court in the Sixteenth Judicial Circuit.

10. Nothing contained herein shall prohibit the County from using any other Special Magistrate or Code Enforcement boards to hear the Code Enforcement violations.

IN WITNESS WHEREOF, the parties have made their agreement on the date first written above.

(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Dixie Spehar, Mayor

(SEAL)

Attest:

By _____
City Clerk

By _____
Jimmy Weekley, Mayor

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

Robert B. Shillinger, Jr.
ROBERT B. SHILLINGER, JR.
ASSISTANT COUNTY ATTORNEY
Date 1-5-5

MONROE COUNTY ATTORNEY

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